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6 IN THE UNITED STATES DISTRICT COURT

7 FOR THE NORTHERN DISTRICT OF CALIFORNIA

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10 JOHN L. SUSOTT,

No. C 12-00581 SI

11 Plaintiff,

12 v.

13 DANIEL SUSOTT,

14 Defendant.

15 In re the Matters of the:

No. C 12-597 SI

16 IRREVOCABLE LIFE INSURANCE  
17 TRUST OF JOHN L. SUSOTT AND  
18 KATHRYN C. SUSOTT UAD 8/17/1988 AS  
RESTATEDED, EXEMPT TRUST FBO  
DANIEL C. SUSOTT

**ORDER ON MOTION TO SHORTEN  
TIME AND MOTION TO TRANSFER  
CASES TO SAN JOSE DIVISION**

19 IRREVOCABLE LIFE INSURANCE  
20 TRUST OF JOHN L. SUSOTT AND  
21 KATHRYN C. SUSOTT UAD 8/17/1988 AS  
RESTATEDED, NON-EXEMPT TRUST FBO  
DANIEL C. SUSOTT

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23 Currently before the Court is the motion filed by Evan Auld-Susott, Petitioner in Case No.  
24 12-597, for an order shortening time to hear a motion to transfer these related cases to the San  
25 Jose Division. Petitioner argues that under Civil Local Rule 3-2(e), these cases arise out of  
26 Monterey County and, therefore, should be assigned to the San Jose Division. The Court  
27 GRANTS the motion to hear the motion to transfer on shortened time [Docket No. 40], but  
28 DENIES the motion to transfer.

1       The Court notes that under normal operating procedures, these cases would have been  
2 assigned to the San Jose Division. However, because the San Jose Division has a vacant District  
3 Court Judge position, the Court has adopted temporary measures to reassign cases district-wide  
4 in order not to overburden the San Jose Division. Case No. 12-581 was reassigned to this Court  
5 under those temporary measures and Case No. 12-597, following the lower case number, was  
6 likewise reassigned to Judge Illston as a related case.

7       Given these circumstances, the Court will keep these cases and DENIES the motion to  
8 transfer. However, in order to lessen any burden on the parties and their counsel given the  
9 reassignment to San Francisco, the Court will allow any party to appear by phone for any hearing  
10 or conference at that party's election. If a party desires to appear by phone, that party shall  
11 notify Judge Illston's Courtroom deputy, Tracy Kasamoto, in advance of the hearing or  
12 conference.

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14       **IT IS SO ORDERED.**

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16       Dated: April 3, 2012

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SUSAN ILLSTON  
UNITED STATES DISTRICT JUDGE

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